

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

## **HOUSE BILL 2442**

AN ACT

AMENDING SECTION 36-326, ARIZONA REVISED STATUTES; RELATING TO DEATH REGISTRATION REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 36-326, Arizona Revised Statutes, is amended to  
3 read:

4              36-326. Disposition-transit permits

5       A. A funeral establishment or responsible person who takes possession  
6 of human remains shall obtain a disposition-transit permit from a local  
7 registrar, a deputy local registrar or the state registrar before providing  
8 final disposition of the human remains.

9       B. A funeral establishment or responsible person who takes possession  
10 of human remains shall obtain a disposition-transit permit from a local  
11 registrar, a deputy local registrar or the state registrar before moving the  
12 human remains out of this state.

13       C. Human remains moved from a hospital, nursing care institution or  
14 hospice inpatient facility must be accompanied by a form provided by the  
15 hospital, nursing care institution or hospice inpatient facility authorizing  
16 the release of the human remains. The form shall contain the information  
17 required in rules adopted pursuant to this chapter.

18       D. A funeral establishment or responsible person may move human  
19 remains from a hospital, nursing care institution or hospice inpatient  
20 facility where death occurred without obtaining a disposition-transit permit  
21 if the funeral establishment or responsible person does not remove the human  
22 remains from this state and provides notice to the local registrar or deputy  
23 local registrar in the registration district where the death occurred within  
24 twenty-four hours after moving the human remains.

25       E. A funeral establishment or responsible person may move human  
26 remains from a place other than a hospital, nursing care institution or  
27 hospice inpatient facility where death occurred without obtaining a  
28 disposition-transit permit if the funeral establishment or responsible person  
29 does not remove the human remains from this state and provides notice to the  
30 local registrar or deputy local registrar in the registration district where  
31 death occurred within seventy-two hours after moving the human remains.

32       F. EMBALMED HUMAN REMAINS, DISINTERRED HUMAN REMAINS AND HUMAN REMAINS  
33 THAT ARE NOT EMBALMED, THAT ARE SHIPPED BY COMMON CARRIER INSIDE OR OUTSIDE  
34 OF THIS STATE MUST BE PLACED IN A SUITABLE SHIPPING CONTAINER THAT IS  
35 DESIGNED FOR THE TRANSPORTATION OF HUMAN REMAINS. HUMAN REMAINS DO NOT NEED  
36 TO BE TRANSPORTED WITHIN TWENTY-FOUR HOURS AFTER DEATH.

37       F. G. A hospital or abortion clinic is not required to obtain a  
38 disposition-transit permit if a product of human conception is expelled or  
39 extracted at the hospital or abortion clinic and all the following apply:

40           1. The gestation period of the product of human conception is less  
41 than twenty weeks or, if the gestation period is unknown, the weight of the  
42 product of human conception is less than three hundred fifty grams.

43           2. A county medical examiner's investigation is not required.

44           3. The woman on whom the abortion was performed has authorized the  
45 hospital or abortion clinic to dispose of the product of human conception.

1        ~~G.~~ H. To obtain a disposition-transit permit, a funeral establishment  
2 or responsible person must submit the information required pursuant to this  
3 chapter and rules adopted pursuant to this chapter to the state registrar or  
4 to the local registrar or deputy local registrar of the registration district  
5 where the death occurred.

6        ~~H.~~ I. A local registrar, a deputy local registrar or the state  
7 registrar shall provide a disposition-transit permit to a funeral  
8 establishment or other responsible person if the information provided  
9 pursuant to subsection B complies with this chapter and rules adopted  
10 pursuant to this chapter.

11        ~~I.~~ J. A local registrar, a deputy local registrar or the state  
12 registrar shall provide a disposition-transit permit for interment of human  
13 remains in a cemetery only if the location of the cemetery has been recorded  
14 in the office of the county recorder in the county where the cemetery is  
15 located or the cemetery is located on federal or tribal land.

16        ~~J.~~ K. A local registrar, a deputy local registrar or the state  
17 registrar shall provide a disposition-transit permit issued by this state for  
18 the final disposition of human remains in this state on receipt of a  
19 disposition-transit permit from another state that accompanies the human  
20 remains from the other state.